

# EXHIBIT 7

Mail Stop Interference  
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Paper No.: 1  
Filed December 12, 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Johnson & Johnson  
Junior Party  
(U.S. Application 10/912,994),

v.

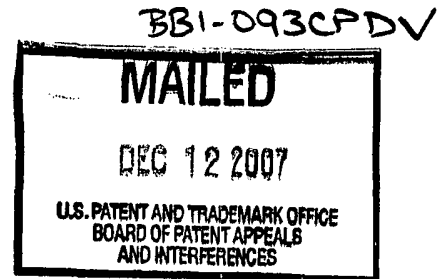
Abbott GMBH & Co., KG  
Senior Party  
(U.S. Patent 6,914,128).

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Patent Interference No. 105,592 (MPT)  
(Technology Center 1600)

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DECLARATION - Bd.R. 203(b)<sup>1</sup>



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<sup>1</sup> "Bd.R. x" may be used as shorthand for "37 C.F.R. 1 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

Part A. Declaration of interference

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties. Details of the application(s), patent (if any), reissue application (if any), count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this DECLARATION.

Part B. Judge managing the interference

Administrative Patent Judge Michael P. Tierney has been designated to manage the interference. Bd. R. 104(a).

Part C. Standing order

A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this DECLARATION. The STANDING ORDER applies to this interference.

Part D. Initial conference call

A telephone conference call to discuss the interference is set for **2:00 p.m. on January 30, 2008** (the Board will initiate the call).

No later than four business days prior to the conference call, each party shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R. 120; Bd. R. 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

A sample schedule for taking action during the motion phase appears as Form 2 in the STANDING ORDER. Counsel are encouraged to discuss the

schedule prior to the conference call and to agree on dates for taking action. A typical motion period lasts approximately eight (8) months. Counsel should be prepared to justify any request for a shorter or longer period.

Part E. Identification and order of the parties

Junior Party

Named inventors: JILL GILES-KOMAR, DOWNINGTOWN, PA  
DAVID M. KNIGHT, BERWYN, PA  
DAVID PERITT, BALA CYNWYD, PA  
BERNARD SCALLON, COLLEGEVILLE, PA  
DAVID SHEALY, DOWNINGTOWN, PA

Application: U.S. Application 10/912,994, filed August 6, 2004

Title: Anti-IL12 Antibodies, Compositions

Assignee: Johnson & Johnson

Senior Party

Named Inventors: JOCHEN SALFELD, NORTH GRAFTON, MA  
MICHAEL ROGUSKA, ASHLAND, MA  
MICHAEL PASKIND, STERLING, MA  
SUBHASHIS BANERJEE, SHREWSBURY, MA  
DANIEL TRACEY, HARVARD, MA  
MICHAEL WHITE, FRAMINGHAM, MA  
ZEHRA KAYMAKCALAN, WESTBOROUGH, MA  
BORIS LABKOVSKY, MARLBOROUGH, MA  
PAUL SAKORAFAS, NEWTON, MA  
GEERTRUIDA M. VELDMAN, SUDBURY, MA  
AMY VENTURINI, LEXINGTON, MA  
ANGELA WIDOM, ACTON, MA  
STUART FRIEDRICH, MELROSE, MA  
NICHOLAS W. WARNE, ANDOVER, MA  
ANGELA MYLES, ANDOVER, MA  
JOHN GAWAIN ELVIN, CAMBRIDGE, UK  
ALEXANDER R. DUNCAN, CAMBRIDGE, UK  
ELAINE JOY DERBYSHIRE, ROYSTON, UK  
SARA CARMEN, CAMBRIDGE, UK  
THOR LAS HOLTET, ROYSTON, UK  
SARAH LEILA DU FOU, HITCHEN, UK  
STEVE SMITH, ELY, UK

Involved Patent: U.S. Patent 6,914,128, issued July 5, 2005, based upon  
U.S. Application 09/534,717, filed March 24, 2000

Title: Human Antibodies that Bind IL-12 and Methods for  
Producing

Assignee: Abbott GMBH & Co., KG

The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1); SO ¶ 154.2.1. The senior party is responsible for initiating settlement discussions. SO ¶ 126.1.

Part F. Count and claims of the parties

Count 1

An isolated human antibody according to claim 1 of U.S. Application 10/912,994 or claim 1 of U.S. Patent 6,914,128

The claims of the parties are:

J&J, U.S. Application 10/912,994: 1, 102 and 103

Abbot, U.S. Patent 6,914,128: 1-74

The claims of the parties which correspond to Count 1 are:

J&J, U.S. Application 10/912,994: 1, 102 and 103

Abbot, U.S. Patent 6,914,128: 1-15, 27-40 and 50-64

The claims of the parties which do not correspond to Count 1, and therefore are not involved in the interference, are:

J&J, U.S. Application 10/912,994: None

Abbot, U.S. Patent 6,914,128: 16-26, 41-49 and 65-74

The parties are accorded the following benefit for Count 1:

J&J:

- i) U.S. Application 09/920,262, filed August 1, 2001, issued as U.S. Patent 6,902,734 on June 7, 2005.
- ii) U.S. Provisional Application 60/236,827, filed September 29, 2000
- iii) U.S. Provisional Application 60/223,358, filed **August 7, 2000.**

Abbot:

- i) U.S. Provisional Application 60/126,603, filed **March 25, 1999**

Part G. Heading to be used on papers

The following heading must be used on all papers filed in this interference, see SO ¶ 106.1.1:

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(U.S. Patent 6,914,128).  
Patent Interference No. 105,592 (MPT)  
(Technology Center 1600)

Part H. Order form for requesting file copies

When requesting copies of files, use of SO Form 4 will greatly expedite processing of the request. Please attach a copy of Parts E and F of this DECLARATION with a hand-drawn circle around the patents and applications for which a copy of a file wrapper is requested.

/Michael P. Tierney/  
Administrative Patent Judge



Enc:

Copy of STANDING ORDER

Copy U.S. Patent 6,914,128

Copy of claims of U.S. Application 10/912,994

Revised 3 January 2006

cc (via overnight delivery):

Attorney for Johnson and Johnson

Philip S. Johnson

**JOHNSON & JOHNSON**

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